

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GARDEN CITY BOXING CLUB, INC., :

Plaintiff, :

-against- :

1900 JEROME AVE. SPORTS BAR, INC.
d/b/a MONUMENT SPORTS BAR, et al., :

Defendants. :

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 01/30/08

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ORDER
07 Civ. 8081(LLS)(KNF)

KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE

1. United States District Judge Louis L. Stanton has referred this matter to me so that an inquest may be held, in order to determine what amount of statutory damages should be awarded to the plaintiff by the defendants;
2. I direct the plaintiff to prepare and send to me, proposed findings of fact and conclusions of law, as well as an inquest memorandum, accompanied by supporting affidavits and exhibits, setting forth its proof of damages, costs of this action, and attorney's fees, as well as any applicable interest (and to file and serve the same upon the defendants), on or before February 29, 2008;
3. I direct the defendants to prepare and send to me any opposing memorandum, affidavits and exhibits, as well as any alternative findings of fact and conclusions of law (and to file and serve the same upon the plaintiff), on or before March 31, 2008;

4. In these papers, the defendants shall state whether they request a hearing for the purpose(s) of; (a) cross-examining the plaintiff's affiants, and/or (b) calling its own witness(es), and, if so, the defendants shall state the name and address of each witness they intend to examine;
5. If a hearing is requested by any party, a date for the hearing shall be fixed by the Court and provided to the parties;
6. If no request for a hearing is made by any party within 45 days of service of the plaintiff's inquest submissions, I shall make my decision based solely upon the memoranda and affidavits, without any oral argument; and
7. The plaintiff shall serve the defendants with this order and submit proof of service to the Court.

Dated: New York, New York
January 29, 2008

SO ORDERED:

Kevin Nathaniel Fox
KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE